

SEP. 8 2004 3:50PM

JENKINS & WILSON

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*Patty Wilson*  
Patty Wilson

Date of Signature September 8, 2004

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lightfoot et al.

Group Art Unit: 1638

Serial No.: 09/954,773

Examiner: Kruse, David

Filed: September 18, 2001

Docket No.: 1268/2/2

Confirmation No.: 8934

For: SOYBEAN SUDDEN DEATH SYNDROME RESISTANT SOYBEANS,  
SOYBEAN CYST NEMATODE RESISTANT SOYBEANS AND METHODS OF  
BREEDING AND IDENTIFYING RESISTANT PLANTS

\*\*\*\*\*  
AMENDMENT A

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is responsive to the Official Action dated March 8, 2004, having a term that expired on June 8, 2004. A three (3) month extension of the time for response up to and including September 8, 2004 is respectfully requested. Please charge the \$475.00 extension fee for a small entity to Deposit Account No. 50-0426. Favorable consideration is respectfully requested in view of the following Amendments and Remarks.

AMENDMENT

Please amend the subject application as follows:

PAGE 7/25 \* RCVD AT 9/8/2004 3:50:27 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/8 \* DMS:8729306 \* CSD:9194190383 \* DURATION (mm:ss):07:00

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Serial No.: 09/954,773

Applicants respectfully submit that none of the cited art discloses the use of a medium that contains both anti-fungal and anti-bacterial agents.

Accordingly, applicants respectfully submit that claims 43 and 44 are in condition for allowance, and respectfully solicit a Notice of Allowance to that effect.

#### CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action.

#### DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,  
JENKINS, WILSON & TAYLOR, P.A.

Date: 09/08/2004 By: 

Arles A. Taylor, Jr.  
Registration No. 39,395

AAT/CPP/ptw

Enclosure: Clean Version of Abstract on a Separate Sheet

Customer No: 25297